

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**REQUEST
FOR****CONTINUED EXAMINATION (RCE)
TRANSMITTAL**

Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

| | |
|------------------------|--------------------------|
| Application Number | 09/894,956 |
| Filing Date | June 27, 2001 |
| First Named Inventor | William Michael Lafferty |
| Art Unit | 1634 |
| Examiner Name | B.J. Forman |
| Attorney Docket Number | DIVER1280-14 |

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. Submission required under 37 CFR 1.114

- a. ☒ Previously submitted
- i. ☒ Consider the amendment(s)/reply under 37 C.F.R. 1.116 previously filed on January 23, 2004.
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- iii. ☐ Other _____
- b. ☐ Enclosed
- i. ☐ Amendment/Reply iii. ☐ Information Disclosure Statement
- ii. ☐ Affidavit(s)/Declaration(s) iv. ☐ Other _____

2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☒ Other: Transmittal Letter (2 pgs. in dup.), Petition for Extension of Time (one (1) month) (2 pgs. in dup.) and Return Receipt Postcard.

3. Fees The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 50-1355.
- i. ☒ RCE fee required under 37 CFR 1.17(e) 07/23/2004 CNGUYEN 00000126 09894956
- ii. ☒ Extension of time fee (37 CFR 1.136 and 1.17) 1 FC:2801 385.00 OP
- iii. ☐ Other _____
- b. ☒ Enclosed is Check No. 563160 in the amount of \$440.00 in payment of the **SMALL ENTITY** RCE fee (\$385.00) and the one (1) month extension of time fee (\$55.00).
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

| | | | |
|-------------------|----------------------------|-----------------------------------|---------------|
| Name (Print/Type) | Lisa A. Haile, J.D., Ph.D. | Registration No. (Attorney/Agent) | 38,347 |
| Signature | | Date | July 16, 2004 |

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

| | | | |
|-------------------|-------------------|------|---------------|
| Name (Print/Type) | Gregory P. Austin | Date | July 16, 2004 |
| Signature | | | |

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.